IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FOURTH DAY OF AUGUST
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE B.SESHASAYANA REDDY

WRIT PETITION No. 22306 of 2004

Between:

Mohd. Yousuf

..... PETITIONER

AND

The District Collector, Ranga Reddy District

And another

.....RESPONDENTS

ORDER:

The writ petition has been filed by one Mohd.Yousuf assailing the action of the

respondents in not granting pattadar pass book and title deed under the provisions of the Andhra Pradesh Rights in Land and Pattadar Pass Books Act, 1971.

It is the case of the petitioner that he filed O.S.No.446 of 1985 on the file of the District Munsif, Chevella, against the respondents (District Collector, R.R.District and Mandal Revenue Officer, Shamshabad Mandal) for declaration of title and ancillary reliefs. The said suit ended in decree on 03.08.1990. The respondents filed appeal with delay condonation petition.

The learned Senior Civil Judge, Vikarabad, dismissed the delay condonation petition and consequently the appeal came to be rejected. There seem to be no further proceedings taken by the respondents herein to challenge the decree granted in favour of the petitioner in O.S.No.446 of 1985 and thus, the decree granted in the said suit attained finality. Thereafter the petitioner presented application dated 03.05.2004 to the respondents for grant of pattadar pass book and title deed under the provisions of the Andhra Pradesh Rights in Land and Pattadar Pass Books Act, 1971. Since no action has been taken by the respondents, this writ petition has been filed invoking the jurisdiction of this Court under Article 226 of the Constitution of India.

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue, appearing for the respondents.

The learned counsel appearing for the petitioner contends that the respondents having suffered the decree in O.S.No.446 of 1985 are not justified in not considering the application filed by the petitioner for grant of pattadar pass book and title deed under the provisions of the Andhra Pradesh Rights in Land and Pattadar Pass Books Act, 1971.

It is no more in dispute that the suit filed by the writ petitioner against the respondents ended in decree declaring the right and title of the petitioner over the property in question. Such is the situation, there is no reason for the respondents in not considering the application filed by him for grant of pattadar pass book and title deed in respect of the lands which are the subject matter of O.S.No.446 of 1985.

In the result, the Writ Petition is disposed of directing the respondents to consider the application filed by the petitioner for grant of pattadar pass book and title deed in respect of the lands which are the subject matter of O.S.No.446 of 1985 and pass

appropriate orders thereon, within a period of 8 (eight) weeks from the date of receipt of a copy of this order. No order as to costs.

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B.SESHASAYANA REDDY,J

Dated: 04.08.2005

Dsr